

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-26479 of 2017

Date of decision: 03.08.2018

Jagjiwan Lal and others

.. Petitioners

Versus

State of Punjab and another

.. Respondents

CORAM: HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Abhinav Singla, Advocate
for Mr. Rajbir Singh, Advocate
for the petitioners.

Mr. Ramandeep Sandhu, Sr. DAG, Punjab.

None for respondent No. 2.

SURINDER GUPTA, J.(Oral)

The petitioners have filed this petition under Section 482 Code of Criminal Procedure (for short, 'Cr.P.C.') seeking quashing of FIR No.08 dated 24.02.2012 (Annexure P-1), registered for offences punishable under Sections 420/465/467/468/471/120-B of Indian Penal Code (for short 'IPC') at Police Station Mulanpur Garib Dass, Tehsil Kharar, District SAS Nagar Mohali, along with all consequential proceedings arising therefrom, on the basis of compromise dated 27.01.2017 (Annexure P-3).

As per case of complainant, he has sold his share in the land situated in village Takipur in favour of petitioner no. 1-Jagjiwan Lal, who further sold it to Vallabh Steel Limited. Again on the basis of said power of attorney of petitioner no. 1-Jagjiwan Lal, land of complainant was sold to Vallabh Steel Limited for the second time. The second sale deed was executed in order to usurp remaining share of the complainant in the land.

Learned counsel for the petitioners submits that the matter has

as Annexure P-3.

Learned State counsel has also not disputed compromise (Annexure P-3).

In order to verify the veracity and genuineness of the settlement between the parties, they were directed to appear before the trial court and get their statements recorded. The trial court has sent its report dated 01.09.2017 stating therein that the compromise has been effected between the complainant and the accused which appears to be genuine, voluntary in nature and without any undue influence or pressure.

Keeping all the above facts in view, I am of the considered opinion that it is a fit case in which the impugned FIR should be quashed. Keeping the case pending will not serve the ends of justice. The quashing of the FIR will provide the parties to this petition an opportunity to live in an amicable, peaceful and harmonious atmosphere which is not only in the interest of the parties but also for their families and ultimately the society at large.

For the reasons as discussed above, the instant petition is allowed and the impugned FIR No. 8 dated 24.02.2012 (Annexure P-1), registered at Police Station Mulanpur Garib Dass, Tehsil Kharar, District SAS Nagar Mohali along with all consequential proceedings arising therefrom, qua petitioners, is quashed.

August 03, 2018
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No